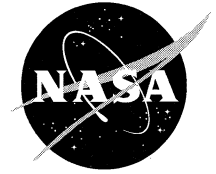


National Aeronautics and
Space Administration
Lyndon B. Johnson Space Center
2101 NASA Road 1
Houston, Texas 77058-3696



February 3, 2006

Reply to Attn of: AL-06-019

TO: Distribution

FROM: AL/Assistant Chief Counsel for General Legal Matters

SUBJECT: Widely Attended Gathering Determination Regarding Attendance of the several NASA Astronauts at the National Basketball Association's (NBA) All Star Party and NBA Welcome Reception.

On February 17, 2006, the NBA is holding its All Star Reception at Space Center Houston. The event is designed to kick-off the league's All Star weekend, which will include the All Star game and several associated events to be held around the greater Houston area. The NBA has chosen the theme of Space and Basketball for this year's All Star weekend. Therefore, several events will feature information about both professional basketball and space exploration. The reception is a gathering of approximately 3,000 invited guests including top executives from several international corporations representing a wide range of interests, NBA executives, current and former professional athletes, and local Houston community leaders. It provides members of the NASA astronaut corps an opportunity to discuss the importance of NASA's mission and educate guests on the Vision for Space Exploration and the roles astronauts have in carrying out NASA's mission. Moreover, the event provides NASA a good opportunity to participate in a significant community event that is designed to showcase the Johnson Space Center as an integral part of NASA's mission for human space exploration.

The event will be attended by a wide range of individuals representing a large section of the national and international corporate communities, as well as the local community who have an interest in NASA and its missions. The NBA will provide tickets for the invited NASA employees and their guest. The event will provide an opportunity for NASA invitees to widely disseminate information to the Houston community about the NASA Mission, Vision, goals, and statutory obligations. I find that this event meets the requirements of a "widely attended gathering" as defined in 5 C.F.R. §2635.204(g).

I conclude that NASA's interest in its employees attending this event outweighs any concern that free attendance may, or may appear to, improperly influence any NASA personnel in the performance of their official duties. Therefore, NASA invitees, and a guest, may attend this event at no charge and accept any food or refreshments that may

be offered. However, NASA employees whose duties may substantially affect the sponsor of this event may have a conflict of interest and should seek an individual determination pursuant to 5 C.F.R. §2635.204(g)(3)(i) regarding participation in this event from the Office of Chief Counsel.



Mary L. Broerman

Distribution:

AA/M. L. Coats
AB/R. D. Cabana
AB/C. M. Stegemoeller
AC/R. K. Gish
AC2/D. C. Leestma
AC7/D. K. Carpenter
AD/G. W. Hayes
AE/M. A. Kincaid
AG/B. J. Watkins
AH/N. V. Saiz
AJ/G. G. Stiner
AL/B. J. Roan
AP/E. M. Hawley
BA/D. L. Johnson
CA/K. D. Bowersox
DA/G. A. Flynt
EA/C. J. Camarda
IA/J. E. Carter
JA/J. B. Walker
KA/S. A. Hawley
LA/J. H. Beall
MA/N. W. Hale, Jr.
NA/Y. Y. Marshall
OA/M. T. Suffredini
QA/A. J. Lindenmoyer
RA/F. J. Benz
SA/J. R. Davis
TA/R. B. Hanson
XA/S. C. Doering
ZA/J. M. Hanley